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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/909,588	07/20/2001	Vadim Antonov	5642.P005X	3302
56188	7590	02/08/2006	EXAMINER	
GREENBERG TRAUIG, LLP 1900 UNIVERSITY AVENUE FIFTH FLOOR EAST PALO ALTO, CA 94303			ABRISHAMKAR, KAVEH	
			ART UNIT	PAPER NUMBER
			2131	

DATE MAILED: 02/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/909,588	Applicant(s) ANTONOV ET AL.	
	Examiner Kaveh Abrishamkar	Art Unit 2131	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 July 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on November 9, 2005 has been entered.

2. Claims 1-20 are currently being considered.

Response to Arguments

3. Applicant's arguments filed November 9, 2005 have been fully considered but they are not persuasive for the following reasons:

Regarding claim 1, the Applicant argues that the CPA, Baker (U.S. Patent No. 6,449,719), does not teach an object library to facilitate communication. This argument is not found persuasive. In the claims, the object library is used to encrypt and decrypt the communications. However, the disclosure states that the encryption and decryption are performed by encryption and decryption modules in the transfer points, but makes no mention of using an object library for the encryption/decryption operations. Therefore, claim 1 and the other independent claims (claims 7 and 13), are subject to a

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112 1st paragraph rejection as given below, and the claims have been broadly interpreted for the purposes of the rejection.

Drawings

4. New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because Figures 1-4, and 6 are handwritten and very difficult to comprehend. Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claims 1-20 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The independent claims, claim 1, 7, and 13, contain subject matter which is

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not clearly defined in the specification and/or in the figures. The independent claims contain subject matter stating “encrypted by a first transfer point in a first host ***using an object library***” and “decrypting the communication at the second transfer point ***using the object library***.” There is no apparent disclosure of “using an object library” to encrypt and decrypt the communication. The disclosure states that the encryption and decryption are performed by encryption and decryption modules in the transfer points, but makes no mention of using an object library for the encryption/decryption operations. Therefore, it is asserted that the disclosure is not enabling.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Baker (U.S. Patent No. 6,449,719).

Regarding claim 1, Baker discloses:

A method comprising:

“receiving an encrypted communication at a second transfer point in a second host, the communication sent by a first process to be encrypted by a first transfer point in a first host using an object library, the object library being between a transport layer of network communication and input and output channels, the object library to create stateful objects from objects of application processes for communication between hosts” (column 1 line 59 – column 2 line 34, column 2 line 44 – column 3 line 9, column 4 lines 17 – 36), wherein a server (first host) contains a streaming server component which contains a client interaction module and an encryption module (transfer point) which combine to encrypt and communicate the packets to a client server component (second host);

“decrypting the communication at the second transfer point using the object library” (column 3 lines 1 – 9, column 4 lines 30-36, column 5 lines 26-39), wherein the client server component (second host) has a data stream receive module and a decryption module (second transfer ***point***) to receive and decrypt the encrypted communication;

“transferring the decrypted communication between the second transfer point and a second process within the second host”, (Figure 1, column 3 lines 1-9, column 4 lines 31-36), wherein the decrypted data stream is transferred from the data stream receive module and the decryption module (second transfer ***point***) to the local display control module and the display module (second process);

“wherein a communication channel using the object library between the first transfer point and the second transfer point allows encrypted

communication between a plurality of application processes within the first host and a plurality of application processes within the second host” (column 3 lines 1 – 9, column 4 lines 30-36, column 5 lines 26-39).

Claim 2 is rejected as applied above in rejecting claim 1. Furthermore, Baker discloses:

The method of claim 1, wherein “**a first plurality of processes provided within the first host and a second plurality of processes are provided within the second host**” (Figure 1, Figure 2, column 2 line 40 – column 3 line 9), wherein the server (first host) contains an encryption module (encryption process), a flow control module (process), and a client data connection module (process), while the client (second host) contains a data stream receive module (process), a decryption module (process) and a display module (process).

Claim 3 is rejected as applied above in rejecting claim 2. Furthermore, Baker discloses:

The method of claim 2, wherein “**the first plurality of processes within the first host can communicate with each other and the second plurality of processes can communicate securely with each other**” (Figure 1, Figure 2, column 2 line 40 – column 3 line 9, column 6 lines 14-27), wherein in the server, the flow control module (process) simultaneously communicates with both the encryption module (process) and the client control connection module (process), and in the client, the decryption module (process) passes decrypted information to the local display control module (process) while simultaneously communicating with the stream control protocol module (process).

Claim 4 is rejected as applied above in rejecting claim 3. Furthermore, Baker discloses:

The method of claim 3, wherein “***the first plurality of processes can communicate simultaneously with each other and the second plurality of processes can communicate simultaneously with each other***” (Figure 1, Figure 2, column 2 line 40 – column 3 line 9, column 6 lines 14-27), wherein in the server, the flow control module (process) simultaneously communicates with both the encryption module (process) and the client control connection module (process), and in the client, the decryption module (process) passes decrypted information to the local display control module (process) while simultaneously communicating with the stream control protocol module (process).

Claim 5 is rejected as applied above in rejecting claim 1. Furthermore, Baker discloses:

The method of claim 1, wherein “***the encrypted communication is transferred through a connection***” (Abstract, column 1 lines 6-12), wherein the connection is an Internet-type connection.

Claim 6 is rejected as applied above in rejecting claim 5. Furthermore, Baker discloses:

The method of claim 5, wherein “***the connection is a single-pipe connection***” (Abstract, column 1 lines 6-12), wherein the connection is an Internet-type connection.

Claim 19 is rejected as applied above in rejecting claim 1. Furthermore, Baker discloses:

The method of claim 1, wherein “***the object library is to dynamically perform type compatibility determination based on names and behavior version numbers of object types***” (column 2 lines 7-19), wherein a valid URI and token combination is needed to allow communication.

Claim 20 is rejected as applied above in rejecting claim 1. Furthermore, Baker discloses:

The method of claim 1, further comprising:
“***bundling communication of a plurality of processes running inside the first host at the same time for communication to the second host***” (Figure 1, Figure 2, column 2 line 40 – column 3 line 9, column 6 lines 14-27), wherein in the server, the flow control module (process) simultaneously communicates with both the encryption module (process) and the client control connection module (process), and in the client, the decryption module (process) passes decrypted information to the local display control module (process) while simultaneously communicating with the stream control protocol module (process).

7. Claims 7- 12 are machine-readable storage medium claims analogous to the method claims rejected above, and therefore, are rejected following the same reasoning.

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8. Claims 13 – 18 are system claims analogous to the method claims rejected above, and therefore, are rejected following the same reasoning.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kaveh Abrishamkar whose telephone number is 571-272-3786. The examiner can normally be reached on Monday thru Friday 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KA
02/02/2006


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